



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

March 21, 2002

RECEIVED

MAR 21 2002

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

The Honorable Bud Cramer
U.S. House of Representatives
2367 Rayburn House Office Building
Washington, D.C. 20515

Re: Application of Kevin David Mitnick for Renewal of
Amateur Radio Station N6NHG and General Class
Operator License (WT Docket No. 01-344)

Dear Congressman Cramer:

Thank you for your correspondence, dated January 10, 2002, concerning the above-referenced matter. Your correspondence, which was not served on the parties to this proceeding, was forwarded to the Office of General Counsel for reply in accordance with the Commission's ex parte rules, which are intended to ensure both fairness and the appearance of fairness in Commission proceedings.

The ex parte rules (47 C.F.R. §§ 1.1200-12) require that written communications to Commission decision-making personnel relating to the merits of restricted proceedings be served on all the parties to the proceeding. This includes communications that simply forward to the Commission the views expressed by others on the merits of the restricted proceeding. The above-referenced matter is a restricted proceeding, and it will remain restricted until it is no longer subject to administrative or judicial review.

In accordance with the ex parte rules, a copy of this letter and your incoming correspondence have been sent to the parties to this proceeding. Additionally, copies of the letters have been placed in a public file associated with, but not made part of, the record in this proceeding, and therefore will not be considered.

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2

The Commission is charged with fully examining the record in all of its proceedings to determine what decision will best serve the public interest, convenience, and necessity. You may be assured that the Commission will give full consideration to all views presented in accordance with the requirements of the ex parte rules described above.

Sincerely yours,

John I. Riffer
Assistant General Counsel
Administrative Law Division

cc:

Lauren A. Colby, Esq.
P.O. Box 113
Frederick, MD 21705-0113

James W. Shook, Esq.
Dana E. Leavitt, Esq.
Investigations and Hearings Division
Enforcement Bureau
445 12th Street, S.W., Rm. 3-B443
Washington, D.C. 20554

BUD CRAMER
5TH DISTRICT
ALABAMA

COMMITTEE ON APPROPRIATIONS

SUBCOMMITTEES

COMMERCE, JUSTICE, STATE AND JUDICIARY
VA, HUD AND INDEPENDENT AGENCIES



CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

January 10, 2002

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Web page: <http://www.house.gov/cramer>

Mr. Paul A. Jackson
Acting Director, Office of Legislative and Intergovernmental Affairs
Federal Communications Commission
445 12th St SW Rm 8
Washington, D.C. 20024

WFB
Reg. Sec.
0573

Dear Mr. Jackson:

Enclosed is a letter from Mr. Kristopher Kirby, a constituent of mine from Huntsville, Alabama. I respectfully request that you address the concerns raised in his correspondence.

I appreciate your assistance in this matter.

Sincerely,

Bud
Bud Cramer

Member of Congress

BC:aa

20 JAN 24 10 24 AM '02



Control No. : 0200573

Due Date: 4/5/2002

Sensitive: No

Lead

Bureau/Office: OFFICE OF GENERAL COUNSEL (OGC)

Lead Division: (None) ▾

Priority: Routine

In/Out

Received On: 2/26/2002

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Signed By: Bureau/Office Chief

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Date Entered: 2/26/2002

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Incoming Date: 1/10/2002

Remark(s):

Constituent Name: Kristopher Kirby

Subject(s): Ex Parte Issues (OGC)

Official Name: Cramer, Robert E. (D-AL)

Street: 2367 Rayburn House Office Building

Street Cont'd:

City: Washington, DC 20515

District: 5

Organization: House

Party: Democrat

Groups:

House Committee on Appropriations

House Subcommittee on Commerce, Justice, State & Judiciary; Appropriations Cmte

Other Officials:

Coordinating
Bureau/Office(s):

Follow-up Date:

Follow-up
Comment:

Author: (None) ▾

Data Entry Person: Pulliam, Wanda (OLIA)

Aarons, Amy

From: Kris Kirby [kris@catonic.net]
Sent: Monday, December 24, 2001 3:21 AM
To: Budmail
Subject: K. Mitnick ham license in jeopardy

<http://www.theregister.co.uk/content/55/23494.html>

As a duly licensed Amateur ("Ham") Radio Operator and a worker in the Information Technology field, I find this action by the FCC appalling. Mr. Mitnick's use of his radio never factored into his crimes and I feel that he is being improperly treated in regards to his license renewal. I pray that you will look into this matter with whatever ability you may have.

You may recall that a good many of our severe weather spotters also Hams and do what they can to insure that feedback is given to the RADAR operators of The National Weather Service so that warnings may be timely issued to prevent loss of life. I am certain that Mr. Mitnick is no different than any other Ham and would lend a hand if necessary.

Thank you for your time and consideration,

Kristopher B. Kirby
POB 14422
Huntsville, AL, 35815

Kris Kirby, KE4AHR | TGIFreeBSD... 'Nuff said.
<kris@nospam.catonic.net> | IM: KrisBSD | HSV, AL.

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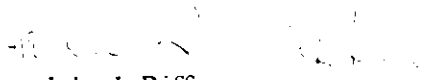
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Federal Communications Commission
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Handwritten:
C. H. B.
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Bud Cramer
Member of Congress

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